

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff

v.

CRIMINAL 99-170 (SEC)

JORGE VAZQUEZ-RIVERA,

Defendant

**MOTION REQUESTING ORDER TO ALLOW DEFENDANT TO BE MAINTAINED IN
THIS JURISDICTION IN ORDER TO ASSIST COUNSEL ON APPEAL**

TO THE HONORABLE SALVADOR E. CASELLAS
UNITED STATES DISTRICT JUDGE
FOR THE DISTRICT OF PUERTO RICO

COMES NOW, the defendant, Jorge A. Vazquez-Rivera, represented by the undersigned attorney and very respectfully states, alleges and prays as follows:

1. That defendant, Jorge A. Vazquez-Rivera, was re-sentenced by this Honorable Court on September 30, 2005. (Minutes of Proceedings, Docket No. 309.)
2. That on October 4, 2005, this Honorable Court entered Amended Judgment. (Docket No. 310.)
3. That on the same date, defendant filed, through his counsel, a notice of appeal notifying of his intention to seek review of the sentence imposed to the United States Court of Appeals for the First Circuit. (Docket No. 311.)
4. That the defendant respectfully requests an order from this Honorable Court pursuant Rule 38(b)(2) of the Federal Rules of Criminal Procedure allowing him to stay in this jurisdiction (at MDC Guaynabo) in order to assist counsel in the appellate process.

5. That defendant believes it is within the discretion of this Court to grant such relief and that no prejudice will be caused to any party if he is in fact so allowed to stay.

6. That this Honorable Court granted a similar motion when defendant was originally sentenced in 2002 over the government's objection. (Docket No. 273.)

WHEREFORE, it is respectfully requested that this Honorable Court take notice of the above and that the present motion requesting order be granted.

I HEREBY CERTIFY that on this date I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the parties of record.

RESPECTFULLY SUBMITTED

In San Juan, Puerto Rico, this 6th day of October, 2005.

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